

action, grant letters of marque and reprisal, coin money," &c. and infer, if I understand him, that because this disability results, as he supposes, by implication from the inhibition to the states of the exercise of those powers, therefore the assumed disability of Congress to abolish slavery and the slave trade in this District, may, in like manner, result from its want of power to put an end to these evils in the States.

The whole of this argument rests on a false supposition with regard to the source of the inability of Congress, as a Legislature for this District, to make treaties, grant letters of marque, and coin money; and falls to the ground when it is perceived that that inability results, not from the inhibition to the states of the exercise of those powers, but from their utter inconsistency with both the purposes for which the power to legislate over this District was granted, and the relation which the District evidently bears to the Union.

The gentleman from Virginia next proceeds to lay down the following general rules to restrain legislation over this District:

1. "That nothing which Congress is expressly prohibited by the Constitution from doing as a National Legislature, can it do as a Local Legislature for the District of Columbia."

2. "That all the duties and obligations which the States are bound by the Constitution to discharge and observe, from one to the other, the District of Columbia, or its Legislature, is bound to discharge and observe towards the States, respectively."

3. "That the Local Legislature of the District of Columbia can do no act, or pass no law, which the States are prohibited from doing or passing, by the Constitution."

And how, let it be asked, do these rules affect the present question? No express prohibition to legislate on the subject of State Slavery is found in the Constitution unless it be in the amendment which provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." But if Congress cannot legislate on the subject of Slavery in this District, because the right to legislate upon it in the States is "reserved to the States," how is it to legislate for the District at all? The subjects of every day legislation for the District are subjects upon which Congress has no power, or to legislate for the States and are, therefore, according to the gentleman's argument, subjects on which it has no right to legislate here.

And how does the gentleman's second rule touch this subject? Are the States bound, by their "duties and obligations" towards each other, to refrain from abolishing Slavery and the Slave trade within their respective limits? Nobody pretends this.

Many States have done it, and many more may yet do it, for any thing that can be found to the contrary in the Constitution. And can any greater evil result to any of the Slave States from the exercise of a power by Congress to abolish slavery and the slave trade within the limits of this District, than would result from the exercise, by the States, of their admitted power of doing the same thing within their limits? May not Maryland, for example, if she chooses, put an end to these evils within her limits? And would not the exercise of the power be as dangerous to the peace of the South, as would be the exercise of the same power by Congress in regard to this District?

And has the gentleman's third rule a more appropriate application to the present question than either of the others? To what purpose, in reference to this argument is it to say that Congress can pass no law in reference to this District which the States are prohibited from passing? Are the States prohibited from passing laws abolishing Slavery and the Slave trade within their respective limits?

The gentleman from Virginia says, the Constitution declares that "private property shall not be taken for public use, without just compensation." Supposing this to have any application to the present case, it only involves the inquiry, whether slaves can be rightfully emancipated by legislative authority, without providing a just compensation to their masters. This touches a question which I will not now discuss, namely: what is the foundation of the right to the slave, which is said to be vested in the master? Congress, however, are not asked to take private property for public use; but to free the African from the unnatural condition of being the property of another, to the end, not that he may become the property of the public, but the proprietor of himself. But this is not all we are called on to do. We are asked to prohibit men from making merchandise of their fellow men; from buying and selling them to get gain. Do gentlemen talk of a compensation to the slave merchant for the loss of such a privilege? Do they even touch the subject of the Slave trade within this District? Dare they do it? Are there any vested rights in the way of legislation on this subject? Is there any question about "compensation" involved? any limitation growing out of "the nature of society, and of government," to which the gentleman from Virginia refers?—any express or implied infringement of the rights of the States?—any kind of obstacle, in short, but the want of a will in those who have the power to put down this abominable traffic.

Having thus attempted to show that the power of Congress to legislate on the subjects of these petitions is obviously included in the power to "exercise exclusive legislation in all cases whatsoever," is not restrained by any natural limitations of legislative power, nor by any express or implied limitations to be found in the Constitution, the question arises—Where is the limitation to be found for which gentlemen so earnestly contend? I am answered—in the acts of cession, by which the States of Virginia and Maryland ceded the territory which forms this District to the United States. These acts, say gentlemen, are conclusive upon the subject. Let us see, then, if these States did, in making the cessions, actually impose restrictions at variance with the plain language of the Constitution; and whether Congress accepted grants thus restricted.

The cession from Virginia was made by act of legislature of that State on the 3d

of December, 1789, in the following words:

"Be it enacted by the General Assembly, That a tract of country, not exceeding ten miles square, or any lesser quantity, to be located within the limits of the State, and in any part thereof, as Congress may, by law, direct, shall be and the same is hereby forever ceded and relinquished to the Congress and Government of the United States in full and absolute right and exclusive jurisdiction, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the Government of the United States."

This grant, it will be perceived, transfers to the United States "exclusive jurisdiction of soil and persons residing, or to reside thereon;" and adds, "pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the Government of the United States;" that is, pursuant to that part of the Constitution which, as we have seen, expressly grants to Congress the power "to exercise exclusive legislation in all cases whatsoever." Here, then, instead of a restriction of the jurisdiction contemplated in the Constitution, there is, both in direct terms, and by reference to that instrument, an express and clear confirmation of it.

But, say gentlemen, there is a proviso which follows this grant, that contains the limitation contended for. Let us see. The proviso is as follows: "Provided that nothing herein contained shall be construed to vest in the United States any right of property in the soil, or to affect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States." Now, sir, is it not apparent, upon the slightest inspection of this proviso, that it limited the grant only so far as it extended to the soil, and was designed merely to protect the rights of individuals therein—that is, in the soil—from the operation of that part of the cession which grants "the tract of country" to the United States "in full and absolute right?" It seems to me, indeed, that, so far from limiting the grant in reference to the subject matter now under consideration, this very proviso does, in effect, confirm it, since an express exception of one species of right from the operation of the grant, and one only, would seem to imply an exclusion of all other exceptions. It is, indeed, altogether incredible, that the Legislatures of Virginia and Maryland should have intended to restrict the United States in their powers over the subject of slavery, without using language which would directly, or by clear implication, reach the case.

The gentleman from Virginia (Mr. Wise) gives additional force to this argument by asking—"Why was the cession required?" "Why was their (the ceding States) consent to the purchase of places required?" "by the Constitution, if it was not to give the States the power of imposing condition and restraint upon your legislation over the ceded territory?"

"The power of imposing condition and restraint?" Very well. If this was the purpose, the States of Virginia and Maryland, of course understood it, and would take care to impose in their grants, all the conditions and restraints upon the legislation of Congress which they thought proper, and to do it so plainly that even the way-faring man need not err in regard to them. Now, where are the conditions and restraints on which gentlemen may rely? I have recited the whole; and who will say that they embrace any restraint upon the power of Congress touching the subject under consideration? Is not the omission, upon the gentleman's own view of the subject, decisive of the question?

But the gentleman, having looked into the grant, and seeing that no such "condition and restraint" was imposed there, seeks to find it in "the nature of society" and government in Maryland and Virginia; "in" which he says is "of itself, independent of condition expressed in the acts of cession, sufficient to restrain your power of legislation over this subject." Thus, at one moment, a cession was provided for in the Constitution, to the end that the ceding States might impose condition and restraint upon the legislation of Congress; and, at the next, "the nature of society and government in Maryland and Virginia is of itself a sufficient restraint," without any thing expressed in the grant!

But, Mr. Speaker, what is the condition of the people of this District in regard to this important subject, if the power contended for is not granted to Congress? Maryland and Virginia, possessing the power to abolish slavery and the slave trade within their respective limits, had the power of doing it within the territory which now composes this District. But they possess it no longer. Their jurisdiction here is extinguished; The inhabitants of the territory are transferred to the United States, entirely divested of all civil jurisdiction; with no power to legislate on this or any other subject, but subjected to the "exclusive legislation" of Congress in "all cases whatsoever." However much they may, at any time, desire to free the territory from the curse of slavery and the slave trade, they are powerless. For any thing that they can do, by the force of law, they and their children, and their children's children, to the latest time, must be doomed to see among them a traffic which makes merchandise of the bodies and the souls of their fellow-men; which marches through their streets, chained together, companies of human beings destined to the slave prison and the slave ship; and which agonizes their moral sensibilities by a severance of all the ties which bind man to his fellow-man, in the most valued and endeared relations of human life.

I have thus shown that the power given to Congress over this subject, by the general grant in the Constitution, is affected, neither by the natural limitations to the exercise of legislative power, nor by any limitation, express or implied, in the constitution itself, nor by any contained in the cessions of this territory by the States of Maryland and Virginia.

\* The grant from Maryland was made on the 19th of December, 1791. It is in the same language as the grant from Virginia, and is limited by the same proviso.

Remainder next week.

Appointment by the President. Geo. W. Barker, of Montpelier, to be Marshal of the District of Vermont, in the place of Heman Lowry, Esq. resigned.

Foreign Correspondence of the Boston Atlas. Paris, Dec. 2, 1835.

When this letter reaches you, you will be anxious to learn the impression the President's communication to Congress has made here, as we are now to ascertain its tone and recommendations. No one anticipates that the President will offer any direct apology to the French Government. No American wishes it. But should he with his Message lay before Congress the closing letter of Mr. Livingston, with his approbation of its positions, it is thought here that it will be no degradation to the country, and all that the French Government can reasonably require. It will certainly be satisfied with nothing less. Instead of this, and from some dark and not very discreet remarks which our charge is reported to have made, we are led to anticipate it, should the President indulge in his former indiscreet and insulting tone, the door of reconciliation is closed, and a most ridiculous and disastrous chapter will be added to our own and French diplomacy. The spectacle will be exhibited to the world of two great nations, once allies and now professing a mutual respect for each other, engaging in a war which must prove disastrous to the commerce of both, and involve the destruction of thousands of lives and millions of property—on a mere point of etiquette. It is a pity that old Talleyrand can extirpate the French cabinet from the snarl they have got into—or the plain common sense of another Franklin break through the court forms by which our republican President has entangled himself. As the matter stands now the European press pronounces the position in which the bad management of both governments has placed the two countries, most supremely ridiculous, and if a war grows out of so small a cause, most wicked. It was thought here very strange that our government should be willing to peril so many lives, and so many millions of property, for applications which were committed on our commerce subsequent to the year 1800, while we refuse to discharge the obligation we contracted with the French government to indemnify our own citizens for spoliation prior to 1800.

You will see by the Paris journals that the probability of a treaty offensive and defensive, having been concluded between the United States and Russia, and its consequences have been seriously discussed here for the past week. The prospect of such an alliance has given the war question a more serious aspect, and a much more favorable one for the United States. But no one who understands the long settled policy of our government not to form any entangling alliances with foreign powers, can give the least credit to what is said. At the same time I know the fact that the Emperor Nicholas has expressed himself in the most friendly language towards the United States to such Americans as have been presented to him, and that during his late visit to Germany he openly declared to an American to place our commerce on a more favorable footing than that of any European nation. He has been long anticipating a war with England or France—and I have no doubt the object of his late visit to Austria and Prussia, was to secure the continuance or entire neutrality of those governments. His connections with the House of Brandenburg by marriage renders him almost sure of Prussia, and his untold distribution of Russian orders and badges, and what is more effectual, of Russian gold, among Austrian officers, and regiments, has, to my knowledge, left a most favorable impression behind him in the right quarter.

His feelings too have been very deeply exasperated by the insulting and galling tone of the English and French papers.

All this renders it highly probable that should we be actually involved in a war with France, which looks likely to be of long continuance, Russia would make a diversion in our favor. That is the opinion here—and if we are once at war on a point of etiquette, it will prove a long one, unless the people whose lives and property are thus made the sport of their rulers decide otherwise. And it is to be feared that their pride would soon get involved, and then peace could only come from the intervention of some neutral power, for the point of etiquette will grow more formidable after a few sore defeats on either side. And why can't the difficulty be adjusted now by the same means which must finally be effectual? Let us hope that it may be.

If war does come, it must in its early stage, be more disastrous to our commerce and our navy, than to the French. The experience of the English will instruct Louis Philip, one of the most prudent monarchs in Europe, of the absurdity of engaging our ships single handed. The superior build of our ships; the gallantry of our officers (every one of whom feels that the honor of the navy is on his shoulders) and the courage and experience of American seamen,

Whose home is on the mountain wave,

render us almost sure of victory on equal terms, or even when the odds are not fearful against us. But it should not be forgotten, that the only advantage of a monarchy, is the promptness and energy with which its executive can act; and the moment war is declared, and the Duke de Broglie has announced that the French Government will regard a non-intercourse act as tantamount to a declaration of war, while Congress is discussing the propriety of appropriations to man our fortifications and increase our navy, a fleet of a dozen battle ships, will prow along our sea board and pounce upon our merchantmen with all their rich cargoes. This will only be the history of the first six months, for who can doubt that the same gallant navy, which under Hull and Decatur, and the other captains of the last war, won for itself so brilliant a reputation, will carry the American flag more triumphantly, against a less powerful antagonist. But let us hope the occasion is far off when it will be called upon to gather fresh trophies.

A good suggestion. The Boston Post suggests that subscribers to newspapers for the year 1836, should Resolve not to lend their papers, but say to every applicant—"the publisher and editor of my paper are both good fellows to make a good paper, and they should be paid for their services." Second the motion. If it be your minds the resolve pass, please to manifest it! It is a unanimous vote—now borrowers "you're Red!" Bangor Mechanic.

From the Harrisburg Telegraph. INVESTIGATION OF MASONRY.

The committee to investigate masonry had a session yesterday afternoon. Letters were laid before them by the Chairman, Mr. Stevens, from George Wolf and John Neilson, refusing to attend before the committee. A resolution was passed to issue an attachment to bring them before the committee.

Mr. Joseph McClelland of Pittsburg was then examined. He was a mason of high degree—a Knight Templar—made in Ireland. He swore that all the oaths as laid down in Allen's Ritual, as far as the Knight Templars, were substantially correct, as administered to him; the scene of the burning bush, and all. He also testified that he was in Pittsburg when the fact that Morgan was preparing his book was made known masonically in the Lodge by one of the officers, who read a communication from one of the New York lodges.

Alexander W. Foster, Esq. of Pittsburg, was next sworn. He testified to the oath of Odd Fellowship, which are the same as laid down in the work lately published by Alexander Jaynes of Pittsburg. The committee will meet every day at three o'clock P. M.

We have always said that Gov. Wolf's administration was a masonic one. His refusal to go before the committee, and the spirit of his letter which repudiates antimasonry as an inquisition, and denies the authority of the legislature to call upon masons to testify in relation to masonry, fully proves what we have said. We think it requires no great penetration to divine the reason why he flounders. We doubt whether he would be willing to make known the masonic iniquity that has been practiced during his late administration.

In the House yesterday, the resolution to bring Geo. Wolf and others who had refused to go before the committee appointed to investigate the masonic institution, by a writ of attachment, met with opposition from some of the members who fear the Lodge, which produced a discussion which was not closed when the House adjourned. The gallery and lobbies were crowded with members of the Order, during the discussion, and they took so much courage from the opponents of the measure that in the afternoon, when the committee again resumed their labors, not one of the fraternity subjoined would answer to their names, although numbers of them were about and in the room. We think that this fact is conclusive that the House must take decided and unequivocal means to compel those to appear and give testimony, who refuse to do so. If not, then our government is no longer a government of law. If men can with impunity violate the laws of the land, and be sustained in it by the law making power, it is time for the people to know it. Let the hardy yeomanry of the country see the laws and constitution of the commonwealth trampled under foot by the Lodge, in the face and in defiance of Legislative power, and they will arise to its rescue. The spirit of freedom they possess will never submit to it.

The refusal of the masons to testify, and their bitter denunciations and defiance of the Legislature is the strongest proof that can be urged against the murderous and unholly institution. In.

EARTHQUAKE IN ITALY. The Neapolitan Gazette of the 7th Nov. has the following account of the destruction of Castiglione, by an earthquake, and the burying of more than 100 of its inhabitants under the ruins. In the middle of the night of the 12th ult. a strong shock of an earthquake was generally felt in Calabria Citra; this was followed at intervals by ten other shocks; some also were experienced on the following days; in the midst of these commotions, Castiglione, a commune in the district of Cosenza, was levelled to the ground, and 100 out of a population of 1000 thus met an untimely death. Many of the inhabitants who attempted flight were seriously wounded by the falling of the houses. The small village of Rovella, with a population of 370 persons, shared the same fate, although with the loss of only two lives and about thirty wounded. In Leppano, a family of six individuals was buried in the ruins of a fallen house. In Rende, two were killed from the same cause, and one in Casole. Nineteen persons perished in Santo Pietro a Guarano, where also several houses were thrown to the ground. The buildings in Cosenza, the capital of the province, were considerably damaged, although no lives were lost. Calamitous as this event has proved, it sinks into insignificance when compared to a disaster of the same kind which befel the other Calabria in 1783, a great part of which, as well as Sicily, was destroyed by a most tremendous earthquake, with the loss of forty thousand persons who perished in the ruins of towns and villages.

#### A PORTRAIT.

A correspondent of the Lexington Observer, writing from Philadelphia, gives the following portrait of Arthur Tappan:

"When I arrived in New York I determined to see Arthur Tappan, who has been recently magnified by the violent proceedings and publications of our Southern fellow-citizens, into one of the principal lions of the day. Had he been left alone in his wild enthusiasm, he would have lived and probably died (when his time came) a sincere, but harmless abolitionist. Now, he looks as if he would glory in going to the stake or gibbet as a martyr. I went to his warehouse and counting room on Pearl street, and found him engaged in business, (for he is a rich merchant), but apparently careless or regardless of what he was doing. No light word escaped his lips, not a smile illuminated his countenance during the whole time I conversed or observed him. His small thin person and pale meagre face looked cold and hard as iron. He seemed to be near sighted or to have weak eyes, inasmuch as he constantly used spectacles. I should say, in all my travels, I have seen few men whose whole appearance and manner showed greater firmness of purpose."

The Canal Trade of Albany.—The total number of Canal boats that arrived and departed from Albany during the year 1835, was ten thousand nine hundred and sixty seven—and the sum of \$357,565 36 was paid at the office in that city for tolls during the business season of the same year.



THE STATE JOURNAL.

CHAUNCEY L. KNAPP, EDITOR.

MONTPELIER, JANUARY 26, 1836.

#### DEMOCRATIC ANTIMASONIC STATE CONVENTION.

A Democratic Antimasonic State Convention will be held at the State House in Montpelier, on Wednesday the 24th day of February, 1836, at 9 o'clock, A. M. for the purpose of nominating a ticket for State Officers for the political year ensuing; and to take into consideration whether any or what action may be expedient at this time relative to a candidate for the National Presidency, together with all other matters connected with the advancement of those principles, for which Antimasons have ever contended.

The State Committee, seeing no cause for relaxing those exertions which have already achieved so much towards ridding the country of an institution deemed by us incompatible with true liberty and all principles which republicans should most cherish, earnestly request the attendance of a full representation of the several Towns in this State. The County Committees are requested to notify Town Committees and see that all are as seasonably apprized of the contemplated Convention. And all those who are opposed to Secret Societies, and aristocratic monopolies, without distinction of party names, are invited to assemble in their respective towns and choose delegates to attend and represent them in the Convention.

MARTIN FLINT, State Committee.  
CALVIN BLODGETT, do.  
SAMUEL MANN, do.

#### STATE CONVENTION.

So far as we have heard opinions expressed, in this part of the State, there is but one voice on the subject of a State Convention. In our view, it is vastly important that a full representation should be in attendance, that there may be a distinct, fair and unequivocal expression upon all the subjects embraced in the call of the State Committee. Since the Harrisburg Convention, the opinion seems to be prevalent that no national convention will be held, but that the antimasons of the different States will be left to act by States on the Presidential question. Indeed the positions already assumed by the Antimasons of all the States except Vermont, seem to present to us the alternative of making a State nomination or of standing aloof from any participation, as a party, in the coming election. The time, therefore, has fully come, when the Antimasons of Vermont should take a stand on this subject. Procrastination and indecision, under existing circumstances, will only weaken and divide. Prompt and decisive action, directed by a spirit of mutual forbearance and liberal compromise is only wanting to ensure another signal triumph of our truly republican principles. In noticing the call of the State Committee the Franklin Journal pertinently remarks, that "in order to pursue the proper course in the coming Presidential election, we must understand the will of the People. Consequently a state convention is calculated, more than any other means except the ballot box, to make known that will. Let us then, have a Convention of the People, a full convention, which will show beyond all doubt, what are the sentiments of the People of this State upon this all-important subject. We hope our Farmers will not neglect this opportunity of expressing their views upon the subject. It is a season of the year when they are not hurried by other business, and can attend with as little trouble as at any other time. We hope we shall not be disappointed in this respect."

RELATION OF THE INFLUENCE OF A SOUND ENLIGHTENED PUBLIC OPINION TO RESTRAIN AN CONTROL THE MISCONDUCT OF THE CITIZENS OF FREE GOVERNMENT, especially when directed as it has been in this case, with unexampled energy and unanimity to the party far evils under consideration, and perceiving that its operations have been thus salutary, I entertain the best hopes that the remedy, of itself, will entirely remove the evils, or render them comparatively harmless. But if these reasonable expectations should, unhappily, be disappointed; if, the face of numerous and striking exhibitions of public reprobation, elicited from our constituents by a just fear of the fat issues in which the uncurbed efforts of the abolitionists may ultimately end, any considerable portion of these misguided men shall persist in pushing them forward, disastrous consequences, then a question new to our confederacy, will necessarily arise and must be met. It must then be determined how far the several states provide, within the proper exercise of the constitutional powers, and how far in fulfillment of the obligations resulting from their federal relations, they ought to provide, by their own laws, for the trial and punishment by their own judicatories, residents within their limits, guilty of acts therein, which are calculated and intend to excite insurrection and rebellion in sister States. Without the power to pass such laws, the States would not possess the necessary means for preserving the external relations of peace among the selves, and would be without ability to fill in all instances, the sacred obligation which they owe to each other as members of the Federal Union. Such a power is acknowledged attribute of sovereignty, the exercise of it is often necessary to prevent the embroiling of neighboring nations. The general government is at this time exercising that power to suppress such a of the citizens of the United States, do within its jurisdiction, in relation to belligerent authorities of Mexico and Texas are consistent with the relations of peace and amity we sustain towards those states. Such a power, therefore, belonged to each of the States, before the formation of the Union, and as far as regards their relation to each other, it was not delegated the General Government. It still remains unimpaired, and the obligations to exert it have acquired additional force from nature and the objects of the federal compact. I cannot doubt that the Legislature possess the power to pass such penal laws as will have the effect of preventing citizens of this state and residents within its territory, from availing themselves, with impunity, of the protection of its sovereignty laws, while they are actually employed exciting insurrection and sedition in a sister state, or engaged in treasonable enterprise intended to be executed therein.

#### TWENTY-FIFTH OF FEBRUARY.

This is the day set apart for holding the simultaneous temperance meetings in every quarter of the globe. We publish the notice from Dr. Edwards, Secretary of the National Society, and invite the particular attention of our readers to the subject. Immense good has resulted from the observance of similar appointments in former years, in this and other countries. Special pains should be taken without delay to have ample arrangements made in every town for this important occasion.

The Temperance Association in this town have united in holding this Jubilee ever year since the idea was suggested, with the happiest results. At a meeting of the Society last Friday evening, a committee of arrangement was chosen, who will soon give notice of the intended exercises in this town on the 25th of February. It is to be hoped that every Society in this State will be at its post on that day. The temperance cause has made too little progress in Vermont the past year. "Onward" should be the watchword.

The report of the proceedings of the late Constitutional Convention, in our last, should have been credited to the Watchman.

CONGRESS. On the 11th inst. Mr Jarvis, from the committee on Naval Affairs, offered the following resolution, which was passed by a vote of 164 to 18:

Resolved, That the Committee on Naval Affairs be instructed to inquire into the expediency of increasing the naval force in commission.

The Washington news continues dull.

MR SLADE'S SPEECH. We give about half of Mr Slade's late speech on the slave question in this paper, reserving the rest for another week. The right of Congress to abolish slavery in the District of Columbia is discussed with great clearness and force, in the published part; and the whole speech is marked by a bold and independent spirit, altogether becoming the occasion. Mr Slade has only to use a little more philosophy on the subject of emancipation to render himself, in the opinion of Gov. McDuffie, worthy of "death without benefit of clergy." The speech will be read as a matter of course.

NEW YORK. The Legislature of this State assembled at Albany on the 5th inst. Hon. Charles Humphrey, of Tompkins, was chosen Speaker of the Assembly, Philip Reynolds, jr. of Montgomery, Clerk. The Message of Governor Marcy occupies nine columns of the Albany Journal. This document has been looked for with some solicitude on account of the demand recently made by the Governor of Alabama for an abolitionist of New York. Many have been waiting to see whether the Governor of any non-slaveholding State would respond to the McDuffie of the South in respect to the "sublime merits of slavery," and the superior claims of the Lynch law system. Governor Marcy, with a frankness rather remarkable for a New York politician, ventures to dissent from the South Carolina doctrine of the divine ordination of slavery, and, in the common language of Northern pro-slavery men, condemns the system "in the abstract." The following are some of the concluding paragraphs:

"When to the just influence which may reasonably be anticipated from the sentiments of the people, so unitedly and powerfully expressed and rendered still more efficacious as they might and should be, by the opinions and views of the assembled representatives, is added to the overwhelming weight of the arguments addressed to the reason and consciences of those who yet adhere to the abolition cause, it would be imputing to them a deplorable degree of mental blindness and fanciful delusion, not to expect a general abandonment of their wild schemes. All but those who are confirmed in fanaticism and reckless of consequences, it is believed, will be constrained by the decided and constantly increasing force of public opinion, to give up their dangerous attempts to act on the institutions of other states. Those who may be thus reclaimed or controlled, will be few in number and in influence, I am persuaded, to excite apprehension.

Relying on the influence of a sound enlightened public opinion to restrain and control the misconduct of the citizens of free government, especially when directed as it has been in this case, with unexampled energy and unanimity to the party far evils under consideration, and perceiving that its operations have been thus salutary, I entertain the best hopes that the remedy, of itself, will entirely remove the evils, or render them comparatively harmless. But if these reasonable expectations should, unhappily, be disappointed; if, the face of numerous and striking exhibitions of public reprobation, elicited from our constituents by a just fear of the fat issues in which the uncurbed efforts of the abolitionists may ultimately end, any considerable portion of these misguided men shall persist in pushing them forward, disastrous consequences, then a question new to our confederacy, will necessarily arise and must be met. It must then be determined how far the several states provide, within the proper exercise of the constitutional powers, and how far in fulfillment of the obligations resulting from their federal relations, they ought to provide, by their own laws, for the trial and punishment by their own judicatories, residents within their limits, guilty of acts therein, which are calculated and intend to excite insurrection and rebellion in sister States. Without the power to pass such laws, the States would not possess the necessary means for preserving the external relations of peace among the selves, and would be without ability to fill in all instances, the sacred obligation which they owe to each other as members of the Federal Union. Such a power is acknowledged attribute of sovereignty, the exercise of it is often necessary to prevent the embroiling of neighboring nations. The general government is at this time exercising that power to suppress such a of the citizens of the United States, do within its jurisdiction, in relation to belligerent authorities of Mexico and Texas are consistent with the relations of peace and amity we sustain towards those states. Such a power, therefore, belonged to each of the States, before the formation of the Union, and as far as regards their relation to each other, it was not delegated the General Government. It still remains unimpaired, and the obligations to exert it have acquired additional force from nature and the objects of the federal compact. I cannot doubt that the Legislature possess the power to pass such penal laws as will have the effect of preventing citizens of this state and residents within its territory, from availing themselves, with impunity, of the protection of its sovereignty laws, while they are actually employed exciting insurrection and sedition in a sister state, or engaged in treasonable enterprise intended to be executed therein.

I have recently received from the Governor of the State of South Carolina, a copy of a report and resolutions, in relation to proceedings of the abolitionists, adopted the Legislature of that State; and I have